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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,143	03/25/2004	Christopher G. Cifra	5150-82400	7400

7590 07/05/2005  
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EXAMINER

GUTIERREZ, ANTHONY

ART UNIT PAPER NUMBER

2857

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/809,143	Applicant(s) CIFRA ET AL.	
	Examiner Anthony Gutierrez	Art Unit 2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/3/05</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The Examiner has not considered six of the references listed on the Information Disclosure Statement for the following reasons:

- Reference **A3** has been withdrawn, and no copy is available to the Examiner.
- While the Examiner has considered user manuals that do not have the relevant page numbers or quantities of pages listed on the Form PTO-1449, he has not considered articles unless page number or quantities of pages are listed. References **A19** and **A23** are such references that have not been considered.
- Reference **A27** is listed as having 2 pages but the Office has only received one page.
- References **A31** and **A71** are either improperly cited or the Office has received incorrect copies of the references.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-21 are rejected under 35 U.S.C. 102(a) as being anticipated by Hoffberg et al. (United States Patent Application Publication: US 2002/0151992 A1).

As to claims 1-3 and 19-21, Hoffberg et al. discloses a memory medium comprising program instructions for specifying a signal analysis function, wherein the memory medium is in a computer system comprising a display, wherein the program instructions are executable to implement: receiving user input specifying a first operation, wherein the operation implements at least a portion of a signal analysis function (paragraphs 0888, 0890, and 0247); programmatically analyzing prior operations input by the user to determine an input source for the first operation with respective signal and data types, wherein the input source provides a first input signal (paragraph 0880); performing the first operation on the first input signal received from the input source, wherein said performing produces an output signal displaying the output signal on the display for each of a plurality of first operations input by the user, wherein the respective output signals comprise the first input signal (paragraphs 0881 and 0882).

As to claims 4, 7, and 8, Hoffberg et al. discloses querying a database to determine the prior operation that provides an output signal of the appropriate signal type (paragraphs 0296 and 0821), wherein the database comprises information indicating respective output signal types of the prior operations, analyzing input/output (I/O) dependencies among the prior operations and the first operation (paragraph 0819), wherein the (I/O) dependencies indicate a proximity ordering of the prior operations with respect to the first operation; and querying the database based on the proximity ordering of the prior operations, beginning with an initial prior operation that is closest to the first operation with respect to (I/O) dependencies (paragraph 0891 with respect to the chronological database).

As to claims 9 and 10, Hoffberg et al. discloses, iteratively querying the database for each of a plurality of input signals (paragraph 0883 and 0901, where the reference discloses that the programmable control may further comprise the chronological database).

As to claims 5 and 6, Hoffberg et al. discloses querying a first function block to determine the one or more appropriate signal types for the first operation, wherein the first operation requires a plurality of input signals, querying the first function block to determine a number of inputs required for the first operation; and programmatically analyzing prior operations input by the user to determine a plurality of input sources for the first operation corresponding to the number of input signals required for the first operation (paragraphs 1088 and 1089, with respect to the fractal compression method of Barnsley and Sloan as it applies to automatic image processing in the present invention, see also paragraphs 1095 and 1096).

As to claims 11 and 12, Hoffberg et al., discloses that if no prior operations provide an output signal of an appropriate signal type, displaying one or more additional operations that provide an output signal of the appropriate signal type; and receiving additional user input selecting an additional operation from the additional operations (paragraph 0823).

As to claims 13-18, Hoffberg et al. receiving user input modifying a configuration of a first function block, thereby changing input signal specifications for a corresponding operation, wherein original input signal specifications for the corresponding operation specify a first input signal type for the corresponding operation, and wherein the changed input signal specifications specify a second,

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different, input signal type for the corresponding operation including the use of a second output signal type (paragraph 0237), including displaying a diagram that visually represents I/O relationships between function blocks, including automatically updating the diagram in accordance with the changed I/O relationships between the function blocks (paragraph 0245).

### **Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

#### United States Patent Application Publications

US 2004/0260682 A1 to Herley et al., teaches a system for identifying content and managing information corresponding to objects in a signal.

US 2004/0225649 A1 to Yeo et al., teaches a method for identifying energy drivers in an energy management system.

US 2004/0111410 A1 to Burgoon et al., teaches an information reservoir employed in database queries.

US 2003/0014567 A1 to Cannon et al., teaches a personalized operator position using an auxiliary database and processor.

US 2002/0087389 A1 to Sklarz et al., teaches a system that includes a source database and a VYH database for signal analysis methods.

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United States Patents

US 6,823,497 B2 to Schubert et al., teaches a method and user interface for debugging an electronic system.

US 6,463,320 B1, to Xue et al., teaches a clinical research workstation for signal analysis and display.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Gutierrez whose telephone number is (571) 272-2215. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AG  
Anthony Gutierrez

6/24/05

